

REMARKS

Amendment To Claims

Applicants are amending independent Claims 1 and 2 to recite that “R¹ to R⁴ each represent a hydrogen atom, and the R⁵ and R⁶ each represent an aryl group” in accordance with elected species, and to recite the layer contains a composite of a conjugated molecule represented by a following general formula [(1) in Claim 1; (2) in Claim 2] and “an oxide of a transition metal which belongs to any one of Groups 4 to 8 in the periodic table” which is supported by, for example, pages 4-5 of the specification of the present application. Dependent Claim 9 as amended is also supported by, for example, pages 4-5 of the specification.

In addition, since Claim 1 is generic (see restriction requirement of August 20, 2009), Applicants are amending withdrawn independent Claims 3-5 in a similar manner to Claim 1.

As no new matter is being added, it is respectfully requested that these amendments be entered and allowed.

Claim Rejections – 35 U.S.C. §102

In the Office Action, the Examiner rejects Claims 1, 2, 6, 7, 8, 9, 10 and 14 under 35 USC §102(b) as being anticipated by Heeney et al. (EP 1,439,590). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1 and 2 as discussed above.

In contrast, Heeney does not disclose or suggest “an oxide of a transition metal which belongs to any one of Groups 4 to 8 in the periodic table” as recited in independent Claims 1-2 (and 3-5).

Therefore, independent Claims 1 and 2 (and 3-5) are not disclosed or suggested by Heeney, and Claims 1, 2 (and 3-5) and those claims dependent thereon are patentable over Heeney. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections – 35 USC §103

Claims 1-6, 9-14

The Examiner also rejects Claims 1-6, 9-14 under 35 USC §103(a) as being unpatentable over Takasu et al. (US 2004/0258954) in view of Heeney with further evidence provided by Angelopoulos et al. (US 5,198,153). This rejection is also respectfully traversed.

In contrast to independent Claims 1-5, none of the cited references discloses or suggests the claimed feature of “an oxide of a transition metal which belongs to any one of Groups 4 to 8 in the periodic table” of Claims 1-5.

Therefore, independent Claims 1-5 are not disclosed or suggested by the cited references, and Claims 1-5 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 7-8

The Examiner also rejects Claims 7-8 under 35 USC §103(a) as being unpatentable over Takasu in view of Heeney with further evidence provided by Angelopoulos and further in view of Hosokawa (US 2002/0045061). This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. Please charge our deposit account 23-0290 for the fee for this IDS.

It is respectfully requested that this IDS be entered and considered.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment and/or the IDS, please charge our deposit account 23-0290.

Favorable reconsideration is earnestly solicited.

Date: April 6, 2010

Respectfully submitted,

/Mark J. Murphy/

Mark J. Murphy

Registration No. 34,225

Husch Blackwell Sanders LLP
120 South Riverside Plaza
Chicago, Illinois 60606
(312) 526-1533

Customer No. 24628